

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GUSHCLOUD PTE LTD, *et al.*,

Plaintiffs,

v.

TRACY WILLIS, *et al.*,

Defendants.

NO. C20-1372RSL

ORDER


This matter comes before the Court on defendants' request for a stay of all litigation deadlines, including the initial disclosures, until a not-yet-filed Rule 12(c) motion is resolved. Dkt. # 17 at 3. The request is DENIED. The Federal Rules of Civil Procedure impose clear duties to disclose and identify triggering events for both initial disclosures and broader discovery. *See* Fed. R. Civ. P. 26(a)(1) and 26(d)(1). Although they easily could have, the rules do not provide an automatic stay of discovery if a motion to dismiss is filed: such motions are often unsuccessful and a stay could cause unnecessary and significant delays at the outset of the litigation. Thus, in order to obtain a stay of discovery, defendant must show that it is entitled to a protective order under Rule 26(c) "to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense"

At present, there is no dispositive motion pending, and defendants have not shown that

1 they are entitled to protection under Rule 26(c). The mere filing (or anticipated filing) of a
2 dispositive motion will not derail discovery or otherwise delay plaintiffs' efforts to pursue their
3 claims.
4

5
6 For all of the foregoing reasons, defendants' request for a stay of discovery is DENIED.
7 The parties shall make their initial disclosures within fourteen days of the date of this Order.
8

9 Dated this 3rd day of November, 2020.

10 
11 Robert S. Lasnik
United States District Judge
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27